

# Montgomery County Maryland

## Bill 3-04, Procurement – *Use of County Funds*

**Q: *What would this bill do?***

**A:** Bill 3-04 would prohibit the use of County Government funds appropriated for contract services or grant awards from being used to assist, promote, or deter union activity or organizing. Specifically, County funds must not be used to: prepare, mail, or otherwise distribute materials related to union activity or organizing; hire an attorney or a consultant to assist, promote, or deter union activity or organizing; encourage or discourage an employee from taking a position on union organizing in the workplace; or prevent a labor organization or its representatives from accessing an employer's facilities or property.

**Q: *Who is affected by this legislation and what types of contracts are covered?***

**A:** Bill 3-04 applies to all County contractors or grantees, unless the provider has received less than \$50,000 from the County in the previous 12-month period. This bill would apply to contracts for County services or grant awards.

**Q: *Why is this bill needed?***

**A:** Currently, there is no prohibition in County law against using County Government funding awarded to contractors and grantees from being used to prohibit union activity or organizing. The goal of this bill is to ensure that County Government funding is used for its intended purpose, instead of being diverted to promote or discourage union organizing activities.

**Q: *How will this legislation be enforced?***

**A:** The bill requires contractors and grantees to affirm that County money will not be used to assist, promote, or deter union activity and to maintain records necessary to show compliance. These records must be made available to the public at a reasonable time. The Chief Administrative Officer must investigate any complaint of a violation. A contractor or grantee must pay the County the amount of funds expended in violation of this Section, and a reasonable attorney's fee.

**Q: *Where can I see this proposed bill, and what happens next?***

**A:** Bill 3-04 was introduced on March 2. The bill can be found at: [www.montgomerycountymd.gov/apps/council/agpackets/040302/2004030205.pdf](http://www.montgomerycountymd.gov/apps/council/agpackets/040302/2004030205.pdf). The Council held a public hearing on this bill on March 23; however, additional comments on this proposed legislation will be accepted until August 15. Email your comments to [county.council@montgomerycountymd.gov](mailto:county.council@montgomerycountymd.gov) or send them to Montgomery County Council, 100 Maryland Ave. Rockville, MD 20850. The Management and Fiscal Policy Committee is tentatively scheduled to hold a worksession on this legislation in September. Check the Council's website for updated information.